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Comments on FCC RM-11699

I have served as the Volunteer Medical Communications Coordinator for the Medtronic Twin Cities Marathon (9th largest in the USA) for a dozen years, and also set up the volunteer communications structure for the Minneapolis Marathon and Red White and Boom Half Marathon. I work under the direction the Medical Directors of these races and closely with numerous hospital, American Red Cross and EMS (Fire and County Hospital) leaders. We even track the movement of patients to hospitals, as many as 50 in one event.

In all this time we have never been asked by these professionals to manage encrypted or HIPAA data. In each case, commercial communication systems, which all are either encrypted already (digital cellular) or allow encryption, are used for this critical data. We have noted in the event of a life and death emergency we could move encrypted payloads on our Icom D-Star platform on Part 97 under the FCC "by any means needed" exemption.

Dozens of Amateurs over the years have expressed their eagerness to support encryption, but this opens the Amateur Service to unlimited commercial and criminal activity, and cannot be policed. The penalties for disclosure of HIPAA data (**42USC1320d-6**) are so severe that the non-emergency transmission of this information is very unpopular with our MD and EMS professionals. Moving encrypted data payloads is easy, and should not require rehearsal or practice. We have not found use cases where transmitting such information on Part 97 frequencies was needed on a routine basis and where the current FCC exemption was not adequate.

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